

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7482

BILL NUMBER: HB 1291

NOTE PREPARED: Jan 6, 2011

BILL AMENDED:

SUBJECT: Storm Water Management.

FIRST AUTHOR: Rep. Smith M

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: *Government Liability-* The bill provides that a governmental entity that issues a building permit is not liable for damage caused by water runoff from the structure for which the building permit was issued.

Drainage Board- The bill grants authority to the drainage board to receive complaints concerning, investigate, and order the removal of certain storm water-related nuisances caused by artificial conveyances directed at or near the property line. The bill provides that, regarding removal of storm water nuisances and right of entry, the county drainage board and the county surveyor have similar authority as with respect to obstruction of mutual drains and natural surface watercourses. The bill prohibits construction of the law as authorizing a person to engage in activity requiring a permit from a state or federal agency before the person obtains the permit.

(The introduced version of this bill was prepared by the Water Resources Study Committee.)

Effective Date: July 1, 2011.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: *Drainage Board-* Additional petitions could occur regarding storm water nuisances through an artificial conveyance. County drainage board administrative time would increase if more petitions are considered. County surveyors, who do not currently receive storm water nuisance

complaints, may require additional administrative time to do so. The costs are expected to be minimal and within existing resources.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Drainage boards; County surveyors.

Information Sources:

Fiscal Analyst: Chris Baker, 317-232-9851.